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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DAVID A. MOORE,

9 Plaintiff,

10 v.

11 KING COUNTY JAIL, et al.,

12 Defendant.
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CASE NO. C17-347 JCC-BAT

**ORDER DENYING MOTION TO
APPOINT COUNSEL**

14 Defendant filed a *pro se* § 1983 complaint and moves the Court to appoint counsel. Dkt.
15 6. For reasons below, the Court **DENIES** the motion.

16 A person generally has no right to counsel in a civil action. *See Campbell v. Burt*, 141
17 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil litigants under
18 28 U.S.C. § 1915(e)(1), but only under “exceptional circumstances.” *Agyeman v. Corrections*
19 *Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether “exceptional
20 circumstances” exist, the Court considers “the likelihood of success on the merits as well as the
21 ability of the [plaintiff] to articulate his claims *pro se* in light of the complexity of the legal issues
22 involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983).
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1 Based on these factors, appointment of counsel is not justified at this point. The
2 complaint filed is deficient and must be cured to survive dismissal. Additionally, plaintiff has
3 shown via the pleadings he has submitted that he can articulate his claims *pro se* in light of the
4 complexity of the legal issues involved. The Court accordingly **DENIES** the motion. Dkt. 6.

5 The Clerk is directed to send a copy of this Order to plaintiff.

6 DATED this 17th day of April, 2017.

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9 BRIAN A. TSUCHIDA
United States Magistrate Judge